



NOTE: (parentheses) remain as
law does not use the
word "full" but we do

for June 8, 2009
Select Board meeting

TOWN OF AMHERST

COMMITTEE CHARGE

Name: ZONING BOARD OF APPEALS

Appointing authority: SB

Town code: 35

Type: Committee

Town bylaw: yes

Number of voting members: 7

Member appointment: 3 yrs. (full) member
1 yr associate member

Voting members to include (where possible):

(full)

The Zoning Board of Appeals has 3 members and 4 alternates. The Zoning Board of Appeals sits in panels of 3 containing either members or alternates. In most cases, only (full) members chair the hearings.

any combination
of (full)

associate
members

associate
members

Non-voting liaisons: None

Committee charge summary:

The board is a quasi-judicial board. It hears petitions for special permits and variances, requests for changes in conditions of special permits, appeals from decisions of the Building Commissioner, and approves site plans related to special permit applications.

See MGL, ch. 40A, sec. 12 and Amherst Zoning By-Law, article 10 for details of the board's operation with respect to the above.

The board also functions as the board of appeals under MGL, ch. 41, sec. 81R (Subdivision Regulations).

The board is explicitly cited in the Town Manager Act as not under the supervision and direction of the Town Manager.

"Special" municipal Employee status MGL Ch 268A granted: April 9, 2007

a:\zoning.chg

On June 15, 1998, the Select Board voted to designate board and committee members as "special municipal employees" under the terms and conditions of G.L. c. 268A.

(removed as out of date)

Town of



AMHERST

Massachusetts

(Include this on reverse)

TOWN HALL
4 BOLTWOOD AVENUE
AMHERST, MA 01002-2301

TOWN CLERK
(413) 256-4035
Email: townclerk@amherstma.gov

ARTICLE 18
FORM 2
SUBMISSION # 2 – TOWN MEETING ACTION

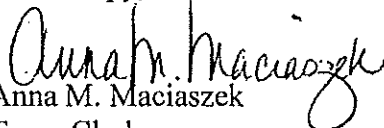
SPECIAL TOWN MEETING
NOVEMBER 2, 3, 7, 9 and 16, 2005

ARTICLE 18. Zoning Bylaw – Zoning Board of Appeals Appointments (Select Board)
VOTED unanimously that the Town amend Section 10.01 of the Zoning Bylaw by deleting the lined out language and adding the language in ***bold italics***, as follows:

10.01 The Zoning Board of Appeals shall consist of three members and four associate members, all residents of the Town of Amherst, ***the three members*** appointed and serving ***for three year terms and as otherwise*** set forth in Chapter 40A of the General Laws, as amended. ~~Each year the term of one of the regular members shall expire. The term of each member and associate member shall conclude at the later of the expiration of such term or the qualification of a successor. and at the date of the annual Town election of the year in which the term expires, or whenever a successor qualifies, whichever occurs last.~~ Said Board shall have all of the powers and duties of Boards of Appeals under said Chapter, and, in addition, all the powers and duties herein prescribed. Copies of rules promulgated by the Board of Appeals may be obtained from the Town Clerk's Office.

Action taken on 11/7/2005.

A true copy, attest:


Anna M. Maciaszek
Town Clerk

